

67th LEGISLATURE—REGULAR SESSION

**PROPOSED CONSTITUTIONAL AMENDMENTS—TAXATION—
EXEMPTIONS—LIVESTOCK AND POULTRY**

H. J. R. No. 49

A Joint Resolution providing for the inclusion of livestock and poultry with farm products as exempt from taxation.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article VIII, Section 19, of the Texas Constitution be amended to read as follows:

Sec. 19. Farm products, livestock, and poultry in the hands of the producer, and family supplies for home and farm use, are exempt from all taxation until otherwise directed by a two-thirds vote of all the members elect to both houses of the Legislature.

Sec. 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 3, 1981. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to provide for the inclusion of livestock and poultry with farm products as exempt from taxation."

Passed by the House on April 16, 1981: Yeas 143, Nays 0, 1 present, not voting; passed by the Senate on May 14, 1981: Yeas 28, Nays 1. Approved May 25, 1981.

Filed with the Secretary of State, May 25, 1981.

**PROPOSED CONSTITUTIONAL AMENDMENTS—NEEDY
PERSONS—ASSISTANCE GRANTS, MEDICAL
CARE, AND SERVICES**

H. J. R. No. 62

Proposing a constitutional amendment to authorize the legislature to provide by law for assistance grants, medical care, and services to needy persons.

Be it resolved by the Legislature of the State of Texas:

Section 1. That Article III, Section 51-a, of the Texas Constitution be amended to read as follows:

Sec. 51-a. The Legislature shall have the power, by General Laws, to provide, subject to limitations herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance grants to and/or medical care for, and for rehabilitation and any other services included in the federal laws as they now read or as they may hereafter be amended, providing matching funds to help such families and individuals attain or retain capability for independence or self-care, and for the payment of assistance grants to and/or medical care for, and for rehabilitation and other services to or on behalf of:

Needy dependent children and the caretakers of such children.

The Legislature may prescribe such other eligibility requirements for participation in these programs as it deems appropriate and may make appropriations out of state funds for such purposes. The maximum amount

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paid out of state funds to or on behalf of any needy person shall not exceed the amount of Eighty Million Dollars (\$80,000,000) during any fiscal year, except that the limit shall be One Hundred Sixty Million Dollars (\$160,000,000) for the two years of the 1982-1983 biennium. For the two years of each subsequent biennium, the maximum amount shall not exceed one percent of the state budget. The Legislature by general statute shall provide for the means for determining the state budget amounts, including state and other funds appropriated by the Legislature, to be used in establishing the biennial limit.

Provided further, that if the limitations and restrictions herein contained are found to be in conflict with the provisions of appropriate federal statutes, as they now are or as they may be amended to the extent that federal matching money is not available to the state for these purposes, then and in that event the Legislature is specifically authorized and empowered to prescribe such limitations and restrictions and enact such laws as may be necessary in order that such federal matching money will be available for assistance and/or medical care for or on behalf of needy persons.

Nothing in this Section shall be construed to amend, modify or repeal Section 81 of Article XVI of this Constitution; provided further, however, that such medical care, services or assistance shall also include the employment of objective or subjective means, without the use of drugs, for the purpose of ascertaining and measuring the powers of vision of the human eye, and fitting lenses or prisms to correct or remedy any defect or abnormal condition of vision. Nothing herein shall be construed to permit optometrists to treat the eyes for any defect whatsoever in any manner nor to administer nor to prescribe any drug or physical treatment whatsoever, unless such optometrist is a regularly licensed physician or surgeon under the laws of this state.

Sec. 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 2, 1982. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to authorize the legislature to provide assistance through the appropriations process to needy dependent children and caretakers of such children and to annually adjust the ceiling on the permissible amount of state assistance by an amount not to exceed one percent of the state budget."

Passed by the House on May 4, 1981: Yeas 107, Nays 37, 1 present, not voting; House concurred in Senate amendments to H. J. R. No. 62 on May 30, 1981: Yeas 118, Nays 16, 1 present, not voting; passed by the Senate, with amendments, on May 27, 1981: Yeas 23, Nays 8.

Approved June 16, 1981.

Filed with the Secretary of State, June 16, 1981.